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REQUEST FOR THE INCLUSION OF A SUPPLEMENTARY ITEM IN THE AGENDA OF THE FORTY-EIGHTH SESSION

CONSIDERATION OF THE EXCEPTIONAL SITUATION OF THE REPUBLIC OF CHINA IN TAIWAN IN THE INTERNATIONAL CONTEXT, BASED ON THE PRINCIPLE OF UNIVERSALITY AND IN ACCORDANCE WITH THE ESTABLISHED MODEL OF PARALLEL REPRESENTATION OF DIVIDED COUNTRIES AT THE UNITED NATIONS

Letter dated 6 August 1993 from the representatives of Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama to the United Nations addressed to the Secretary-General

On instructions from our respective Governments, we have the honour to request you, pursuant to rule 14 of the rules of procedure of the General Assembly, to include a supplementary item in the agenda of the forty-eighth session of the General Assembly entitled "Consideration of the exceptional situation of the Republic of China in Taiwan in the international context, based on the principle of universality and in accordance with the established model of parallel representation of divided countries at the United Nations". Pursuant to rule 20 of the rules of procedure of the General Assembly, we attach an explanatory memorandum (see annex I) and a draft resolution (see annex II) on the subject in question. 1/

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Notes

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Annex I

EXPLANATORY MEMORANDUM

1. For a period of 22 years, from 1950 to 1971, the United Nations considered the question of the representativeness of two politically dissimilar entities in China. The question, which was considered against the background of political and ideological confrontation created by the cold war and its bipolar divisions, generated a certain amount of difficulty because it also involved legal, political and procedural elements which complicated the issue. In the General Assembly, some States advocated the admission of the People's Republic of China as a new Member, while the latter country and its supporters insisted that the question to be settled was that of the representation of China. In October 1971, at its twenty-sixth session, the United Nations General Assembly adopted resolution 2758 (XXVI), in which it decided that China's seat at the United Nations would be taken by the People's Republic of China. This decision excluded the Republic of China in Taiwan from the United Nations.

2. Despite the decision, the Republic of China in Taiwan continued to exist as an independent political entity and was not annexed by the People's Republic of China. On the contrary, the Republic of China in Taiwan maintained a continuous and well-defined presence in the international community, as it still does today. It is therefore clear that the United Nations did not succeed in fully resolving the problem arising from the division of China. The approach taken by the United Nations of adopting a resolution on China's representation in 1971 was clearly over-simplistic and had adverse consequences for the Republic of China in Taiwan to which the United Nations must now find a pragmatic solution in keeping with its Charter and the requirements of international law.

3. The Republic of China in Taiwan is a dynamic and progressive member of the international community and a peace-loving country. At present, it is the fourteenth largest trading nation in the world; its gross national product is the twentieth largest in the world; its per capita income is in excess of US$ 10,000 and its stock of foreign currency reserves, of more than US$ 80 billion, is the second largest in the world. In addition, the Republic of China in Taiwan has become the seventh largest foreign investor in the world. Over the years, the Republic of China in Taiwan has provided technical and financial assistance to many developing countries. The Republic of China in Taiwan cooperates with international financial and development agencies, including the Asian Development Bank (ADB), the European Bank for Reconstruction and Development (EBRD), the Inter-American Development Bank (IDB) and the Central American Bank for Economic Integration (CABEI), in promoting economic development projects in different parts of the world. In previous years, the Republic of China in Taiwan has adopted a series of political and constitutional reforms and has successfully established a stable political system. The clear progress it has made in the field of political, economic and social development has enabled the Republic of China in Taiwan to instil in its people a strong desire and willingness to serve the international community cooperating and participating as an active member. The international community must therefore be aware of the vital need to recognize the fundamental rights of the 21 million inhabitants of the territory under the jurisdiction of the Republic of China in

Taiwan. These rights have so far been denied or neglected because the Republic of China in Taiwan is not a member of the United Nations.

4. The recognition by the United Nations of the rights of the Republic of China in Taiwan would be consistent with the principles of universality and the equality of States before the law. In addition, it would promote the final reunification of the Chinese nation into a single legal and political entity, in line with the purposes and principles of the Charter of the United Nations and in accordance with the interests of the parties directly involved. The Republic of China in Taiwan has expressed support for a process under which the political relations between the two entities could evolve peacefully over time. With that in view, the Republic of China in Taiwan has adopted the guidelines for national unification, which are consistent with the spirit of the Charter with regard to the peaceful settlement of disputes. Before reunification can be achieved, the Republic of China in Taiwan must secure recognition of its international status, enabling it to participate in the United Nations, so that the interests of the 21 million Chinese in the territory under its jurisdiction can enjoy proper and effective representation. The precedent set by the former East and West Germanys and by North Korea and South Korea, which became Members of the United Nations, shows clearly that parallel membership of the United Nations neither prevents the unification of a nation nor implies international support for its permanent division.

5. The full and formal participation of the Republic of China in Taiwan in the activities of international organizations would have practical and beneficial effects for the international community. For example, both the Republic of China in Taiwan and the People's Republic of China are members of the Asian Development Bank and the Asia-Pacific Economic Cooperation Council (APEC), and both have observer status with the General Agreement on Tariffs and Trade (GATT), to which they are negotiating accession. The time has therefore come to look pragmatically at the exceptional situation of the Republic of China in Taiwan. The multilateral programmes of international humanitarian aid and economic development sponsored by the United Nations system would derive significant benefits with regard to the promotion of international prosperity from the participation of the Republic of China in Taiwan.

6. The United Nations should therefore study the situation of the Republic of China in Taiwan. This study and analysis should focus on the search for an equitable, rational and practical solution which will enable the Republic of China in Taiwan to become a full Member of the United Nations. This solution must be based on the recognition of the rights of the 21 million inhabitants of the Republic of China in Taiwan, which has full jurisdiction over a specific territory, and which is an independent political and legal entity with a democratic system of government and its own institutions, laws, and security and defence arrangements - elements which make it totally distinct from the People's Republic of China.

Annex II

DRAFT RESOLUTION

The General Assembly,

Recalling its resolution 2758 (XXVI) of 25 October 1971 on the representation of China at the United Nations and noting that since then, as a result of that resolution, the Republic of China in Taiwan has not been part of the Organization,

Recognizing that the Republic of China in Taiwan is a responsible member of the international community, with a stable political system and a dynamic economy, whose participation in the United Nations would benefit the international community,

Affirming the need to recognize and fully respect the fundamental rights of the 21 million Chinese, who are politically organized as the Republic of China, in the island territory of Taiwan,

Noting the declarations made by the Government of the Republic of China in Taiwan stating that it is willing to accept the obligations laid down in the Charter of the United Nations and to contribute to promoting and maintaining international peace and security,

Convinced of the need to find a peaceful and voluntary solution to the problem posed by the Republic of China in Taiwan within the framework of the United Nations, in accordance with the spirit of the Charter and the principle of universality,

1. Decides to establish an ad hoc committee consisting of ... Member States, to be appointed by the General Assembly, whose mandate will be to analyse comprehensively all aspects of the exceptional situation and make appropriate recommendations to the General Assembly at its forty-ninth session;

2. Urges all Member States to assist the committee in fulfilling its mandate.